



Aiken County Government

Personnel Policy Manual

Issued by County Administrator
October 3, 2016

NOT A CONTRACT

NOTHING IN THE EMPLOYEE HANDBOOK OR IN ANY OF THE COUNTY'S PERSONNEL POLICIES OR PRACTICES SHALL BE DEEMED TO CONSTITUTE A CONTRACT OF EMPLOYMENT AND ALL EMPLOYEES OF THE COUNTY ARE EMPLOYEES-AT-WILL WHO MAY QUIT AT ANY TIME FOR ANY REASON AND WHO MAY BE TERMINATED AT ANY TIME FOR ANY OR NO REASON. NO ONE OTHER THAN COUNTY COUNCIL MAY MAKE ANY PROMISES OR ASSURANCES OR ENTER INTO ANY CONTRACT, WHETHER ORAL OR WRITTEN, EXPRESS OR IMPLIED, THAT IN ANY WAY IS CONTRARY TO OR INCONSISTENT WITH THE LIMITATIONS SET FORTH IN THIS PARAGRAPH, AND ANY SUCH PROMISES, ASSURANCES, OR PURPORTED CONTRACTS SHALL BE INVALID AND NOT BINDING ON THE COUNTY UNLESS ADOPTED, ENDORSED, OR AGREED TO IN WRITING BY COUNTY COUNCIL.

DISCLAIMER

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I acknowledge receipt of the Aiken County Personnel Policy Manual dated October 3, 2016, AND UNDERSTAND THAT IT IS NOT A CONTRACT OF EMPLOYMENT.

Signature

Printed Name

Date

(Employer copy – Please sign, date, remove from manual, and return to Human Resources)

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ADMINISTRATION

County Administrator

The County Administrator is responsible for the administration of County personnel, including administration and interpretation of the personnel ordinance, the administration of the position classification and compensation plan, and the administration of the policies in this manual.

Human Resources Director

The Human Resources Director is the County official delegated authority for personnel/human resources administration by the County Administrator. The Human Resources Director recommends policies, procedures, forms and similar matters for the administration of personnel to the County Administrator.

Interpretation

The County Administrator is responsible for interpreting and administering the various provisions of the County personnel policies, guidelines, and practices, including the position classification and compensation plan, and the personnel rules governing County employees, and such other personnel policies, guidelines and practices set forth by the County Council or County Administrator. The County Administrator is responsible for directing the development of appropriate documents and forms to administer the personnel system.

In the event of a conflict between the provisions in this Manual and those in the then current version of Article V of Chapter 2 of the Aiken County Code of Ordinances, the provisions in the latter shall control.

EQUAL EMPLOYMENT OPPORTUNITY

Policy

The County provides equal opportunity to all applicants for employment and administers hiring, conditions and privileges of employment, compensation, training, promotions, transfer and discipline without discrimination because of race, color, religion, gender, disability, genetic information, age, or national origin.

Discrimination Complaints

Employees who believe that the County's equal employment opportunity policy has been violated should report the matter to the Human Resources Director. Supervisors and managers that receive reports of violations should coordinate review and investigation with Human Resources. This policy does not mean that employees cannot make reports to outside agencies.

RECRUITMENT

Policy

It is the County's policy to recruit, employ, train, and promote employees without regard to an individual's race, religion, color, disability, genetic information, national origin, gender, or age. It is the County's policy to select the most suitable candidate for the task to be performed, with consideration given to such factors as educational and training background, previous experience, demonstrated skills, desirable traits, and growth potential.

Procedure

- (a) Personnel requisition. When a department head chooses to fill a vacancy, a request must be submitted to the Human Resources Director. The request identifies the position to be filled and all other pertinent information which the department head may suggest for recruitment purposes. If the position has been established as a new position within the classification and compensation plan, a job description must accompany the request. No person may be employed to fill a position which is not both vacant and provided for in the personnel budget, and no person may be employed to fill a vacant and budgeted position if by resolution the Council has directed that such vacancy not be filled. No position may be refilled until a review has been made of the position as it relates to the needs of the department and the entire County workforce.
- (b) Promotional opportunity. At the discretion of the appropriate department head, and where promotable employees exist within the department and/or County workforce, vacancies in positions may be posted and filled from applicants from within the department or County workforce who are capable of performing the jobs. If there are no internal applicants, or if the department head would like to consider other applicants prior to making a decision, the position may be opened external applicants. Position vacancies will be posted by the human resources division for a period of at least five (5) calendar days.
- (c) Human resources director's role in recruitment. After the personnel requisition is approved, the human resources director, in cooperation with the appropriate department head, is responsible for establishing reliable applicant sources and for recruiting qualified applicants for each County job opening. For outside recruitment purposes, publicity for a job vacancy should be as broad as the human resources director determines. The human resources director, where deemed appropriate, may use national and local advertising in trade journals, newspapers, etc. and may contact secondary schools, technical educational centers, and other training institutions.

Publicity for outside recruitment purposes generally includes notification to each department of County government and the South Carolina Department of Employment and Workforce, Aiken Office. Applications are accepted for at least seven (7) calendar days following the date of posting. The notification communicates essential information to the prospective applicant. Information normally includes the title, minimum qualifications, salary range, method of making application, and the closing date of applications. First consideration for vacancies is given to suitable County employees.

- (d) Roster of qualified candidates. From time to time there may be certain County positions which are frequently declared vacant due to turnover or difficulty in obtaining an adequate number of qualified applicants. In these instances, the human resources director is authorized to develop a pool of qualified applicants for referral to departments so long as the positions are advertised in accordance with the County's recruitment policy. The human resources director may also refer applicants submitted for one job vacancy to departments recruiting for another similar vacancy so long as the applications reflect that the candidates meet the minimum criteria established for the vacant position.

SELECTION

Policy

The County's success in achieving its goal to find and hire those persons who are most likely to become productive and satisfactory employees over a long period of time depends upon the ability to select the most suitable applicant for the available job. Each applicant selected to fill a position within the County government is expected to possess the minimum qualifications for that position or be able to achieve them within the probationary period or other reasonable time frame as determined at the time of employment. Hiring of candidates who will not achieve the minimum qualifications within the probationary period must be approved by the County Administrator on recommendation of the Human Resources Director.

Procedure

- (a) Human resources department. The human resources director is responsible for:
- (1) Applications. A central application file that provides data on each applicant's background and experience will be maintained by the human resources director. Each applicant must complete and sign an application. An electronic signature on an electronic submission is deemed to be the applicant's signature. Individuals must submit a separate application for each position, except as may otherwise be provided.
 - (2) Preliminary screening. The application form is checked for any inadequate or inaccurate information. All applicants should meet the minimum training and experience for the class of position in which they are seeking employment or be able to achieve training and experience within a reasonable time frame. If the applicant does not possess the minimum qualifications required for the position, the applicant may be excluded from further consideration. Applications meeting the minimum requirements are forwarded to the appropriate department for review.
 - (3) Appointment. When the department head makes his decision, a personnel action request is submitted to the human resources division. Human resources will conduct appropriate background checks. Background checks may include but are not limited to criminal background review and a credit check. All appointments must be approved by the County Administrator through the human resources division. The personnel action request must be processed prior to initial employment. All applications must be returned to the human resources division for follow-up and retention.
 - (4) Physical examination. Physical examination may be required for positions as determined necessary by the County Administrator, or Human Resources Director, upon recommendation of the department head. If a physical examination is required, the person selected for the position must submit to an examination by the County physician or other physicians approved in advance by the County Administrator. Physical forms must be completed by the selected physician and included in the employee's medical file.

A physical examination and drug screen, if required, is the last step in the selection process. Thus, an applicant may be conditionally selected for a position, provided that the applicant satisfactorily passes the physical examination and drug screen.
 - (5) An applicant may not be placed on the payroll and may not begin working until all background checks have been completed and the County receives the results of the physical examination and drug screening.
- (b) Departments of County government. Each department of County government is responsible for:
- (1) Supervisory interview. The hiring department head reviews the file of suitable applicants and generally interviews at least three (3) applicants, except where three (3) qualified applicants are not available. In the event three (3) qualified applicants cannot be recruited, the department head may recommend the preferred applicant from among the referrals.
 - (2) Reference checks. As part of the process of attempting to identify the most promising candidates, Human Resources will conduct reference checks including telephone calls or personal contacts with previous employers of the applicant.

- (3) Motor vehicle records check. Prior to the processing of a personnel action request by the human resources division, the department head must submit to the human resources division a copy of the recommended applicant's current motor vehicle record, if the applicant will have a County vehicle assigned to him or will occasionally drive a County vehicle or a personal vehicle on County business.
- (4) Recommendation. The department head must recommend, on a personnel action request, through the human resources division to the County Administrator, or his designee, the preferred applicant. The County Administrator, or his designee, must concur with the recommendation of the department head and approve the applicant for employment prior to extending an offer of employment.

INTERN PROGRAMS

- (a) Policy. Aiken County seeks and has always sought ways to build relationships with its schools and universities by offering educational opportunities to become involved in the work of a variety of departments. Students must be enrolled full-time at an accredited institution in either an undergraduate or graduate program. Examples are Aiken Technical College (Trades, IT); USCA (Business), USC (Public Administration), and GRU (Business, Public Administration).
- (b) Funds; approval. All intern programs and procedures for providing internships must be approved by the County Administrator. Internships will be unpaid unless otherwise approved by the County Administrator and/or County Council. If funding is required to support the internship, funds must be approved in the annual budget. To provide an internship, a department head will develop a proposal that complies with the institution's guidelines. Human Resources will supply assistance if needed. While interns are available for limited support, they must be given meaningful work that is relevant to their degree and must not be used to replace a function to be done by a County employee.

Human Resources will maintain relationships with the above listed universities, and will obtain résumés every semester for qualified students. Human Resources will screen and send appropriate résumés to department heads for review. Once a short list is obtained, Human Resources will schedule and conduct the initial interview before sending on to the department head. Once a candidate is chosen, the department head will be responsible for managing the work of the intern, and completing all paperwork and reviews required by the university.

The intern's working hours should be established prior to the beginning of the internship. Department heads should coordinate any IT or office space needs.

- (c) Interns may be required to pass a background check before they begin work with the County. At the conclusion of the internship, interns should be interviewed by the Director of Human Resources for feedback on the experience so that improvements and adjustments can be made accordingly.

PROBATIONARY PERIOD

New Employees

- (a) Time period. Each employee appointed to a position in the County must serve a probationary period of six (6) months before the employee is considered a regular employee. A probationary period is designed to determine the suitability of the employee to a particular position, and an employee may be terminated during this probationary period at any time for any reason, per the laws of the State of South Carolina. In addition, law enforcement officers, emergency services personnel requiring certification, or any other County employees requiring certification for their positions remain on a probationary status until such time as that appropriate certification is received. The probationary period is not a guarantee of employment for any period of time.

- (b) Evaluation. During the probationary period, the employee's work habits, abilities, attitude, promptness, and other pertinent characteristics are observed and evaluated by his/her supervisor and department head.
- (c) Sick, annual leave; holidays. New employees are not permitted to use annual leave until they have completed their probationary period. Other benefits which are required by law or County policy may be available. New employees receive wages for designated holidays falling within the probationary period.

Promoted, Demoted and/or Transferred Employees

- (a) Promoted employees serve a probationary period of six (6) months in their new position. If the employee fails to meet required standards of performance any time during the probationary period, the employee may be restored to the position from which he/she was promoted, if it remains to be filled, or to a comparable position, if one is to be filled. If a position is not available, the employee may be given consideration for any County-wide vacancies for which he is qualified. In the event no vacancy for which the employee is qualified is available, the employee will be terminated.
- (b) Involuntarily demoted employees serve a probationary period of six (6) months in their demoted capacity. If, at any time during the probationary period the employee's service to the County is unsatisfactory, the employee will be dismissed.
- (c) Transferred employees and those voluntarily demoted serve a probationary period of six (6) months in the new position. If the employee fails to meet required standards, the employee may be handled in the same manner as promoted employees that fail to meet required standards.
- (d) Employees receiving a promotion because of certification are not required to serve additional time toward their probationary period.
- (e) Promoted, demoted or transferred employees are permitted to use leave as approved by their respective supervisor and department head.
- (f) Probation as a result of progressive disciplinary action will be ninety (90) days to six months, depending upon the severity of the situation.

Department Procedures

- (a) Classification as regular employee. No sooner than the end of the probationary period, the department head and the supervisor, where applicable, review the employee's performance and complete an employee evaluation report. The evaluation report is submitted to the human resources division at least three (3) days prior to the end of the probationary period. A personnel action request is completed for new appointments, promotions, demotions and/or transfers. The department head, or his/her designee, must approve any employee being recommended to move from probationary to regular status.
- (b) Extension of probationary period. At the end of the probationary period (six (6) months), if the employee's performance or attendance is not satisfactory and there is a reason to believe that the employee may develop the ability to perform satisfactorily by an extension of the probationary period, the department head may, subject to approval of the County Administrator, grant an extension, not to exceed ninety (90) additional days. This extension does not apply to demoted employees.

Termination During Probationary Period

- (a) As with all employees, probationary employees serve at-will and may resign or be terminated from employment with or without notice or reason. New probationary employees may be terminated upon approval of the County Administrator. Those serving secondary probationary periods may be terminated by the Department Head.

- (b) New employees who do not satisfactorily complete their initial probationary period are not eligible to file a grievance with the County's grievance committee.

EMPLOYEE PERFORMANCE EVALUATION

Frequency, Purpose, Responsibility

- (a) The work performance of each classified employee is evaluated periodically. Generally, classified employees are evaluated annually, typically during the month of the anniversary of their date of hire. More frequent evaluations may be conducted at the discretion of the department head and County Administrator.
- (b) An evaluation will be conducted for all regular full-time, regular part-time and PRN EMTs in accordance with the administrative procedures developed by human resources and approved by the County Administrator. The evaluation is the responsibility of the employee's immediate supervisor. The rater must review the evaluation with his supervisor prior to presentation and discussion of the evaluation with the employee. A completed evaluation must be discussed by the rater with the rated employee and a copy of the evaluation provided to the employee upon review and signature by the rater and employee. The employee must sign the evaluation. If the employee refuses to sign, he is suspended from work without pay and if he does not sign the evaluation by 5:00 p.m. at the end of his second full scheduled work day, the County will consider that the employee has resigned.
- (c) An unsatisfactory evaluation may, upon recommendation of the department head, result in termination or placement on probation.
- (d) At the time of annual employee evaluations, the human resources department will obtain an update of the motor vehicle record of all County employees who have County vehicles assigned to them, or who occasionally drive County vehicles or personal vehicles on County business. A review of the driving record is a part of the annual evaluation process.
- (e) Probationary employees are evaluated during and at the end of the probationary period.

PAYMENT OF WAGES

- (a) Employees are paid bi-weekly on Thursday at their work stations or through direct deposit. Employees should examine their paychecks/pay stubs immediately to ensure they have been properly paid for all hours and that no improper deductions have been made. Any payment errors must be reported to payroll within 14 days.
- (b) The County deducts from employees' gross pay taxes and withholding required by the taxing authorities. The County may also deduct from an employee's pay the employee's share of any premiums or plan contributions for insurance, retirement, charitable organization and similar plans that are elected by the employee in which the County participates. State retirement system contributions are mandatory for some employees. The County may make other deductions as required by law or court order. The County does not make unauthorized deductions and will reimburse employees if such deductions are made inadvertently.
- (c) Cash, debts owed the County, fringe benefits, uniforms, tools, equipment, vehicles, instruction manuals, keys, County identification cards and other items belonging to the County that are advanced or issued to an employee but not repaid or returned by him at the time of his termination are considered advances of wages, the value of which may be deducted from the employee's pay.

ATTENDANCE AND LEAVE

Attendance

Department heads are responsible for the attendance, work schedule and on-the-job performance of employees under their supervision and shall submit such records to the human resources division or to such other offices as may be designated by the County Administrator.

Holidays

(a) Generally. The County observes the following holidays:

- (1) New Year's Day, January 1
- (2) Martin Luther King Jr.'s Birthday, third Monday in January
- (3) Good Friday, Friday prior to Easter
- (4) Memorial Day, last Monday in May
- (5) Independence Day, July 4
- (6) Labor Day, first Monday in September
- (7) Thanksgiving Day, fourth Thursday in November
- (8) Day after Thanksgiving, fourth Friday in November
- (9) Christmas Eve, December 24
- (10) Christmas Day, December 25

The County Council may, by resolution, amend the dates on which established official County holidays are observed.

- (b) Holiday pay. When the employee's office is closed on a holiday and he is not required to work, he will be paid his normal straight-time wages for the time missed from work. When a non-exempt employee is required to work on a holiday, then the employee is compensated at twice his/her regular straight-time hourly rate. Exempt employees who must work on a holiday do not receive extra pay but may take administrative time off at another time with the permission of their supervisor.
- (c) Shift Personnel. Non-exempt Sheriff's Office, Detention Center, EMS and Public Service Authority personnel who work shifts and are scheduled off on an official County holiday will be paid for 8 hours at their regular straight-time hourly rate. Non-exempt Sheriff's Office, Detention Center and Public Service Authority personnel who work shifts and who are scheduled to work during an official County holiday will be compensated at twice their regular straight-time hourly rate for the shift. EMS personnel who work 24-hour shifts and who are scheduled to work on an official County holiday will be compensated at twice their regular straight-time hourly rate for the part of the shift that falls during the official holiday.
- (d) In departments that operate on a Monday through Friday basis, official holidays falling on Saturday are observed the preceding Friday and official holidays falling on Sunday are observed on the following Monday, or any other day as deemed appropriate by the County Administrator.
- (e) In departments that operate on a seven-day-per-week basis, official holidays are observed on the calendar day on which they fall.
- (f) Exceptions. Employees who work specific days such as two (2) to three (3) days per week (for example, Convenience Site Attendants) who are scheduled off on an official County holiday receive holiday pay for the day equivalent to his or her normally scheduled workday. This section does not apply to Emergency Personnel.
- (g) Eligibility. Regular full-time employees are eligible for holidays under this policy. Regular part-time employees whose position is designated to work at least 20 hours per week receive holiday benefits on a pro-rata basis. Regular part-time employees who work less than 20 hours per week, P.R.N., and other similar classes of employees do not receive holiday benefits.

Annual Leave Policy

- (a) Generally. It is the policy of the County to provide paid annual leave affording opportunity for healthful rest and relaxation to all eligible employees. This policy is effective as of the date of adoption and is not retroactive.
- (b) Accruing annual leave days; carry-over leave; part-time employees.

Regular full-time employees accrue and may carry-over annual leave hours as follows:

- (1) From initial employment through the end of the 5th year of service:

<u>Scheduled Work Hours</u>	<u>Accrue</u>	<u>Carry over</u>
40/week	80/year	40/year

- (2) At the beginning of the 6th year to the end of the 10th year of unbroken service:

<u>Scheduled Work Hours</u>	<u>Accrue</u>	<u>Carry over</u>
40/week	96/year	48/year

- (3) At the beginning of the 11th year to the end of the 15th year of unbroken service:

<u>Scheduled Work Hours</u>	<u>Accrue</u>	<u>Carry over</u>
40/week	120/year	60/year

- (4) At the beginning of the 16th year through the 20th year of unbroken service:

<u>Scheduled Work Hours</u>	<u>Accrue</u>	<u>Carry over</u>
40/week	160/year	80/year

- (5) The maximum leave that may be accumulated, including any carried over leave, is:

<u>Scheduled Work Hours</u>	<u>Accrue</u>
40/week	240/year

- (6) It is mandatory that each employee take at least half of his/her accrued leave during the current year or the leave is forfeited. Each employee who handles cash as part of his job responsibilities is required to take at least five consecutive days of annual leave in a calendar year, and his duties be performed by another individual in his absence.

- (7) Part-time employees scheduled to work less than one-half of the normal workweek, and employees who are hired to fill positions which are classified temporary or occasional do not accrue and are not paid for any annual leave time. Regular part-time employees whose position is designated to work at least 20 hours per week accrue annual leave on a pro-rata basis. Regular part-time employees working less than 20 hours per week, P.R.N. and similar classes of employees do not accrue annual leave.

- (c) Use of annual leave. Employees with compensatory leave balances and exempt employees with administrative leave balances must use those balances for absences from work before using annual leave balances. All requests for annual leave must be in quarter-hour increments. The maximum amount of time to be used for annual leave at any one time is determined by the appropriate department head.

Except in the case of an emergency, all annual leave must be approved, in writing, in advance, by the department head. An employee wishing to take one day or more of annual leave should request approval as soon as possible, but at least one week in advance. Whenever possible, employees will be allowed to take paid annual leave at times most convenient to them. However, in order to ensure a continued smooth operation and maintain a high level of quality in the delivery of services to the citizens of the County, the County reserves the right to limit the number of employees who may be absent from a given department or unit at any one time. Where there is a conflict in the schedule of two (2) or more employees who cannot be spared at the same time, the department head will make the decision.

When a paid holiday is observed by the County during the period an employee is on annual leave, the employee receives only his/her regular holiday pay, and that day is not charged against the employee's annual leave accrual.

When an employee's employment with the County is terminated, or the employee resigns in good standing, for reasons other than misconduct, he/she is paid at his/her most recent rate for all accrued but unused annual leave, reduced by any debts owed to the County. In the event of the death of an active employee, this payment is made to his/her estate. Pay for accrued, unused annual leave at termination is subject to a maximum cumulative payment of all types of leave of 240 hours (or 480 hours for public safety personnel). For non-exempt personnel who earn compensatory time off in lieu of cash payment for overtime, this means that if the total hours (compensatory and annual leave) otherwise subject to payout are more than 240 (or 480) hours, the County will first pay out any compensatory time off. If the number of compensatory hours paid is less than 240 (or 480), the County will pay out the lesser of: (1) the number of accrued, unused annual leave hours, or (2) the difference between 240 (or 480) and the number of compensatory hours paid.

- (d) Attendance records. An attendance record is maintained for each employee by the human resources division.

The department head is responsible for assuring the completion of a weekly attendance report for each employee within his/her department. This report is concurrent with the pay period. Department heads must notify human resources immediately of employees who are absent for reasons that may be covered under FMLA.

- (e) Elected or appointed officials. Elected and appointed officials do not accrue annual and sick leave, and do not receive any monetary payment for leave upon termination from County service.

Elected and appointed officials are not required to submit weekly time sheets.

- (f) Department heads under the direct authority of the County Council and the County Administrator are required to submit a weekly time sheet, receive leave accrual as all other employees, and must submit a record of all leave time taken.

Emergency Personnel Annual Leave Policy

- (a) The foregoing policies apply to emergency services, sheriff's office and detention center employees, except as set forth below.

- (b) Accruing annual leave days; carry-over leave; part-time employees.

Regular full-time employees accrue and may carry-over annual leave hours as follows:

- (1) From initial employment through the end of the 5th year of service:

<u>Scheduled Work Hours</u>	<u>Accrue</u>	<u>Carry over</u>
40/week	80/year	40/year
12 hour shift	80/year	40/year
24 hour shift	128/year	56/year

- (2) At the beginning of the 6th year through the end of the 10th year of unbroken service:

<u>Scheduled Work Hours</u>	<u>Accrue</u>	<u>Carry over</u>
40/week	96/year	48/year
12 hour shift	96/year	48/year
24 hour shift	154/year	67/year

- (3) At the beginning of the 11th year through the end of the 15th year of unbroken service:

<u>Scheduled Work Hours</u>	<u>Accrue</u>	<u>Carry over</u>
40/week	120/year	60/year
12 hour shift	120/year	60/year
24 hour shift	196/year	84/year

- (4) At the beginning of the 16th year through the 20th year of unbroken service:

<u>Scheduled Work Hours</u>	<u>Accrue</u>	<u>Carry over</u>
40/week	160/year	80/year
12 hour shift	160/year	80/year
24 hour shift	260/year	112/year

- (5) The maximum leave that may be accumulated, including any carried over leave, is:

<u>Scheduled Work Hours</u>	<u>Accrue</u>
40/week	240/year
12 hour shift	240/year
24 hour shift	336/year

- (6) Regular part-time employees whose position is designated to work at least 20 hours per week accrue annual leave on a pro-rata basis. Regular part-time employees working less than 20 hours per week, P.R.N., and similar classes of employees do not accrue annual leave.

- (c) Use of annual leave. Annual leave taken by shift personnel in the emergency services department counts towards hours worked.

Sick Leave

- (a) **Rate.** All full-time employees, except those on 12-hour and 24-hour shifts, accrue sick leave at the rate of 3.69 hours per pay period up to a maximum of 720 hours. Employees working a 12-hour shift accrue sick leave at the rate of 3.87 hours per pay period up to a maximum of 756 hours. Employees working a 24-hour shift accrue sick leave at the rate of 5.2 hours per pay period up to a maximum of 1008 hours. Regular part-time employees whose position is designated to work at least 20 hours per week accrue sick leave on a pro-rata basis. Regular part-time employees working less than 20 hours per week, P.R.N., and similar classes of employees do not accrue sick leave.
- (b) **Medical certification.** Sick leave is a privilege to be used for sickness, injury or medical appointments of the employee. Sick leave in excess of three (3) consecutive workdays must be certified by a doctor's certificate if so required by department head. At the recommendation of the department heads, the County Administrator or his designee may, at their discretion, require medical certification for any sick leave taken, and may require certification that an employee is capable of returning to work. Sick leave may also be used if an employee has been exposed to a quarantineable disease. With the written approval of the department head and the human resources director, an employee may use sick leave for absences necessitated by illness or incapacity of a spouse or child. In such case, medical certification may be required under the same circumstances as for the employee's own illness or injury.
- (c) **Notification to supervisor.** An employee who is ill must advise his/her immediate supervisor as soon as possible and no later than one hour after the start of the work shift. Employees in law enforcement, emergency services, security, solid waste, and other departments that operate around the clock must follow procedures set up by their department heads. In case of extended illness, the employee is responsible for keeping his/her supervisor informed of his/her progress.
- (d) **Coordination with compensatory and annual leave.** Employees with compensatory leave balances and exempt employees with administrative leave balances must use those balances from absences for work under this policy before using sick leave balances. Accrued annual leave must be used during periods of sickness, after exhaustion of accrued sick leave. Accrued, unused sick leave will not be paid for at termination under any circumstances.
- (e) **Accrual of annual and sick leave.** While on authorized sick leave with pay an employee continues to accrue annual and sick leave benefits. If an employee is on authorized sick leave without pay, annual and sick leave benefits do not accrue, and the employee is responsible for payment of any authorized payroll deductions. Failure to submit prompt payment may result in termination of benefits.
- (f) **Sick leave bank.** A Sick Leave Bank for serious illness or accident has been established for Aiken County employees. The purpose of the Sick Leave Bank is to provide leave for employees who experience serious illnesses or accidents that require absences which exceed their accrued leave but do not activate long-term disability insurance provisions. The Sick Leave Bank has been established by the voluntary donation of current leave to the bank by County employees, thereby establishing their eligibility to participate in the bank. Leave days which have been contributed may not be reclaimed by the donor. Designated donations will not be allowed. Donations will be accepted from employees who have worked for the county less than one year. Probationary employees and those who have not otherwise donated sick leave time to the bank in order to participate may apply for Sick Leave Bank benefits. If approved, the sick leave time offered must be paid back to the County.

To be eligible to request leave from the Sick Leave Bank, an employee must:

1. Be a contributing member of the bank. The employee must contribute at least sixteen (16) hours of any type compensable leave (other than compensatory time off) or sick leave per year to be a member. Contributions will not be required, except from new employees in a given year, if the County Administrator determines the account balance exceeds the amount needed to fund requests for the year.
2. Be a non-probationary full-time employee eligible for health insurance. Non-probationary part-time employees who accrue sick leave shall be allowed to participate on a pro rata basis.
3. Suffer from a serious illness or accident, or find it necessary, after exhausting all other avenues, to be absent from work due to the serious illness of a member of the immediate family (child, spouse, or parent).
4. Be absent from official duties for at least 20 days and have exhausted all available leave (vacation, administrative, compensatory, sick, and holiday).
5. Present an application for Sick Leave Bank Days and a medical report (Sick Leave Physician's Confirmation) which must include the physician's statement describing the illness and a prognosis with a date to return to work. This statement must be signed by a licensed physician.
6. Provide any other documentation that may be required in order to provide Sick Leave Bank benefits.
7. Have demonstrated judicious use of sick leave in the past.

For the purposes of this policy, serious illnesses or accidents generally include illnesses or accidents which require absences in excess of 20 consecutive days and generally exclude elective surgery. Such illnesses or accidents will generally be considered life-threatening or critical in nature.

Extended leave from the bank cannot be used for the period of disability when moneys are paid to an employee under Workers' Compensation Law or if benefits are being received under an insurance policy

For the purposes of this policy, the Sick Leave Bank committee will determine whether the illness or accident is catastrophic based on the information presented, the extent of impairment to an employee's ability to function, and the employee's particular circumstances. The decision of the committee is discretionary, final, and cannot be grieved.

The amount of sick leave granted will be determined based upon need and the balance remaining in the Sick Leave Bank. Repeat requests from the bank by the same member for the same illness will be reviewed on a case by case basis. Contribution to the sick leave bank must be made prior to the diagnosis of the illness.

The Sick Leave Bank committee is comprised of the Director of Human Resources and the County Nurse. When a request for use of the Sick Leave Bank is received, the respective Department Head will also be a part of the review process. Their decision must be ratified by the County Administrator.

When all days in the bank have been expended, the Director of Human Resources may call for additional contributions. An employee who does not donate at the time of a call for donation may contribute within six months of that date to maintain eligibility. If no donation is made within one year, that employee may cease to be eligible to participate in the Sick Leave Bank.

Funeral Leave

- (a) Generally. An employee may be granted excused paid absence(s), not to exceed 24 hours of pay, in the case of death in the immediate family. Immediate family includes spouse or spousal equivalent, parents, grandparents, grandchildren, sister, brother, son, daughter, step-parents, or step-children, or the equivalent in the family of the spouse. All such leave must be approved in advance by the immediate supervisor and department head.
- (b) Additional time required for travel or bereavement may be granted as annual leave or leave without pay.

Leave Without Pay

- (a) Employees who need to be absent from work must use their paid leave balances. Unless otherwise provided in these policies, leave without pay will not be approved.
- (b) Employees who are in a leave without pay status do not accrue any annual or sick leave and do not accrue nor are they paid for holidays.

Military Leave

- (a) Generally. Members of the state National Guard, the reserve branches of the Armed Forces, and the Coast Guard are entitled to military leave in accordance with state and federal law. An employee called for military duty or training must present a copy of his orders as soon as received or as soon thereafter as practical.
- (b) In accordance with state law, employees on military leave will receive paid leave for up to 15 days per military fiscal year (currently October 1 to September 30) for training or call-up. In addition, if an employee is called upon to serve during an emergency the employee will receive paid leave of absence for not exceeding thirty additional days.

Civil Leave

An employee is given time off without loss of pay and without charge to annual leave when performing jury duty. Such leave is not charged to annual or sick leave, except that on any day when such employee is excused from service on a jury, he will be expected to report for duty at his regular place of work if within reasonable commuting distance or he will be charged annual leave for the time excused from jury duty. Likewise, any period of time for which an employee is excused from jury duty because of illness is charged to sick leave. An employee is entitled to retain all fees received as a juror.

Employees appearing in proceedings on behalf of the County are given time off without charge against accrued leave and without loss of pay.

Private Litigation

Absence of a County employee to appear in any capacity in private litigation is charged to annual leave or to leave without pay. All court fees received by an employee in private litigation procedures may be retained by the employee.

Physical Disability and Personal Leave of Absence

- (1) Physical Disability And Personal Leave (Applies Only To Employees Employed Less Than 12 Months And To Employees Who Have Worked Fewer Than 1250 Hours In Preceding 12 Months And To Employees Whose Reasons For Leave Are Not Covered By The Family And Medical Leave Act.)

- (a) An employee who has completed his initial probation (and any extension thereof) may receive a leave of absence for up to 90 days when unable to work because of sickness, pregnancy, or injury on or off the job. Such an employee may also apply for leave of absence for personal reasons. Personal leaves are granted only in the discretion of the County Administrator, or his designee, upon recommendation by the employee's department head and human resources.
 - (b) Employees are requested to apply for leaves of absence as far in advance of need as is possible, but an employee may be placed on leave status without application when the circumstances warrant such action.
 - (c) Physical disability leaves will begin on the first day of absence.
 - (d) Employees must use compensatory, sick, and annual leave balances before leave is unpaid. After the employee has exhausted his paid leave balances, if any, as a general rule, an employee on leave of absence is not entitled to wages or fringe benefits and does not accrue fringe benefits. All time spent on leave, both paid and unpaid counts towards the 90-day maximum.
 - (e) Employees on leave of absence may not engage in other employment.
 - (f) Employees desiring to return to work from a leave of absence should notify their department head in writing at least ten (10) days prior to their desired date of return. If the County finds that the employee is fit to resume his duties, the employee may be placed in his former job if a vacancy exists which is to be filled. If no such vacancy exists, the employee may be placed in any job where a vacancy does exist which is to be filled and for which he is best suited. If no such vacancy exists at the time the employee desires to return to work, the employee's leave of absence may be continued. Any employee who has not been reinstated within six (6) months following the commencement of a leave of absence may be terminated. This action does not affect the employee's eligibility to be considered for hire as a new employee at some future time. Further, employees with circumstances that warrant special consideration should bring those circumstances to the attention of the Human Resources Director.
- (2) Family And Medical Leave Act (Applies Only to Employees Employed 12 Months Or Longer *and* Who Have Worked 1250 Hours or More in the Preceding 12 Months, Both Prior to Commencement of Leave.)

General: Employees who meet the length of service and hours worked requirement described above have rights under the Family and Medical Leave Act. As a general rule, employees must request leaves of absence under this law and policy, but in appropriate situations, employees may be placed on leave status without application.

(a) Reason for Leave of Absence

1. Medical and Family Leave. An eligible employee may be entitled to a leave of absence under this law and policy if a serious health condition, including disability resulting from an on-the-job injury, prevents the employee from being able to perform his job, if the employee's spouse, child or parent has a serious health condition and the employee must be absent from work in order to care for that relative, or to care for a natural child, adopted child, or formally placed foster child, provided that entitlement to leave to care for a child who is newly born or newly received in the employee's household ends 12 months after a natural child is born or 12 months after an adopted or foster child is received in the employee's household.
2. Military Caregiver Leave. An eligible employee whose spouse, parent, child or next-of-kin is a covered service member or covered veteran of the Armed Forces of the United States may be entitled to leave of absence to care for the service member or veteran if he is or was injured while on active duty, including if he aggravates an existing injury.

3. **Qualifying Military Exigency Leave.** An eligible employee whose spouse, parent or child is a member of the regular Armed Forces of the United States and is on active duty or called to active duty on a foreign deployment, or who is a member of the National Guard or Reserves and is on active duty or called to active duty in federal service may be entitled to a leave of absence due to one or more qualifying exigencies arising out of the active duty or call to active duty. Qualifying exigencies are: (1) Short-notice deployment (i.e., notice of 7 days or less); (2) Military events and related activities; (3) Childcare and school activities (regular or routine childcare by the employee does not count); (4) Financial and legal arrangements; (5) Counseling; (6) Rest and recuperation; (7) Post-deployment activities; (8) Parental care (regular or routine parental care by the employee does not count); and (9) Additional activities not encompassed in the other categories, but agreed to by the employer and employee.

Proof of need for leave of absence may be required regardless of the type of leave taken.

(b) Length of Leave

1. **Medical and Family Leave.** An eligible employee may take the equivalent of a total of 12 work weeks of leave during any 12 consecutive months for his own serious health condition, that of a parent, spouse or child, or to care for a newly born or newly received child. Leave to care for a newly born or newly received child must be taken consecutively. Leave required because of the employee's own serious health condition or that of a spouse, child, or parent, may be taken intermittently or by means of a modified work schedule when necessary.
2. **Military Caregiver Leave.** Leave to care for an injured service member may be taken for up to 26 workweeks in a single 12 month period. Any leave taken by the employee for any other FMLA-qualifying reason will count against the 26 weeks of leave permitted to care for an injured service member.
3. **Qualifying Military Exigency Leave.** Leave taken because of a qualifying exigency is available for up to 12 workweeks in any 12 consecutive months. Leave taken because of a short notice deployment is limited to a 7-day period beginning on the date of notice to the service member, and leave taken to be with the service member during periods of rest and recuperation are limited to 15 days per period of rest and recuperation. Leave taken to attend post-deployment activities must be taken within 90 days of the end of active duty service.
4. **Calculation of Available Leave.** A rolling 12 months is used for purposes of calculating leave available.

(c) Coordination of Leave and Paid Time Off

An employee who must be absent due to his own serious health condition will be paid for time lost from work first from accrued compensatory time off, then from sick leave balances, then from accrued annual leave balances, if any. An employee who must be absent for any other FMLA-qualifying reason will be paid for time lost from work first from accrued compensatory time off, then from annual leave balances, if any. Leave taken under this policy counts towards the employee's 12 weeks of leave (or 26 weeks, where appropriate) regardless of whether all or part of the employee's leave is paid.

(d) Effect of Leave on Accrual of Fringe Benefits

1. Health benefit plan. Employees taking leave under this policy must continue to pay their portion of health benefit plan premiums on the same date that such portion of premiums would be deducted from the employee's wages.
2. Accrual of paid leave. Unpaid time lost from work due to leave granted under this policy is not considered time worked for the purpose of accrual of paid time off.

(e) Employee Responsibility

1. Employees who request leave under this policy must give 30 days' advance notice or such lesser amount of notice as is possible in the particular circumstances. When the need for leave is unforeseeable, the employee must follow the normal procedure for reporting an absence.
2. Employees may not engage in other employment while on FMLA.

(f) Termination of Leave of Absence

A leave of absence under this policy will end when the need for the leave of absence ends, or when the maximum leave described above has been taken, whichever occurs sooner.

(g) Reinstatement

At or before the conclusion of the FMLA leave of absence the employee is entitled to reinstatement to his former position or to a position equivalent to his former position. The employee must demonstrate that he is fit for full active duty and must give reasonable notice of intent to return to work.

(h) Extension of Leave Without Benefits

1. An employee who is unable to perform the duties of his position due to his own disability and who has exhausted his entitlement to leave under the Family and Medical Leave Act by taking 12 consecutive weeks of leave may, in the discretion of the County Administrator, upon written application and with the recommendation and approval of the department head and Human Resources, be granted up to an additional 14 weeks of leave. This additional leave of absence does not entitle the employee to reinstatement or to payment of any portion of his health benefit plan premiums. If the employee is able to return to work prior to the exhaustion of his extended leave, he may be returned to his previous position if it is vacant and is to be filled, or to some other position of equal or lesser compensation for which he is qualified and where there is a vacancy to be filled. If the employee is not returned to active employment, he may be continued on extended leave of absence status until he is returned to active duty status or his extended leave of absence expires, whichever occurs sooner.
2. Employees who have exhausted their FMLA leave under other circumstances, but who continue to require leave which would qualify for FMLA leave if such leave had not been exhausted, may apply for an extended leave of absence for personal reasons. Such extended leaves are granted only in the discretion of the County Administrator after recommendation and approval of the department head and Human Resources.

3. An employee's employment may terminate if he does not return to full active employment status at the conclusion of his leave of absence or extended leave of absence. This does not affect the employee's ability to reapply for the position at a later time. Further, employees with circumstances that warrant special consideration should bring those circumstances to the attention of Human Resources.

(i) Special Situations

1. Spouses. When both a husband and a wife are employed, their combined right to a leave of absence because of the birth or placement of a child, or to care for a newly born or placed child or to care for a parent with a serious health condition is 12 weeks in a 12 month period, or 26 weeks in a single 12 month period to care for an injured service member or covered veteran.
2. Key Employees (salaried employee in highest paid 10% of all employees). Such employees may be denied reinstatement rights if reinstatement would cause substantial and grievous economic injury to operations.

(j) Notice of Rights

Federal law requires that we provide you with the notice of your rights that appear in Appendix A.

Tardiness

Occasional lateness caused by circumstances beyond the employee's control, such as weather conditions, traffic problems, transportation problems, and other emergencies may be excused. However, department heads have the discretion to adjust a non-exempt employee's pay in such situations. Excessive tardiness or a pattern of tardiness is unacceptable.

Workers' Compensation Program

- (a) An employee incapacitated and absent from work because of a job-related injury is entitled to benefits as provided by the worker's compensation laws.
- (b) An employee who is out of work or assigned to light duty for a work related injury/illness may not work a second job (paid or volunteer).
- (c) Absences covered by workers' compensation that also qualify for FMLA will be treated in accordance with the FMLA policy and will count against the employee's 12 (or 26) week entitlement to FMLA leave.

Overtime and Compensatory Time

- (a) All employees are classified as exempt or nonexempt from the overtime and compensatory time requirements of the Fair Labor Standards Act.
- (b) (1) Executive, administrative, and professional employees are not eligible for overtime payments or compensatory time.

- (2) Nonexempt employees, other than law enforcement and emergency services personnel, receive overtime pay at the rate of one and one-half (1 ½) times their regular rate of pay for all hours worked in excess of forty (40) in one (1) workweek or shall receive compensatory time at the rate of one and one-half (1 ½) hours for each hour worked or considered to have been worked in excess of forty (40) in one (1) workweek, subject to a maximum accumulation of two hundred forty (240) hours of such compensatory time. Nonexempt, non-emergency employees who are required to work when County operations are closed by the County Administrator due to inclement weather or other similar emergencies may receive overtime pay or compensatory time for the hours they are required to work.
 - (3) Nonexempt law enforcement and emergency services employees receive overtime pay at the rate of one and one-half (1½) times their regular rate of pay for all hours worked or considered to have been worked in excess of the maximum straight-time hours permitted by the Federal Fair Labor Standards Act for the overtime work period designated by the County Administrator or shall receive compensatory time at the rate of one and one-half (1 ½) hours for each hour worked in excess of such maximum straight-time hours for the employee, subject to a maximum accumulation of four hundred eighty (480) hours of such compensatory time. Employees will be notified of their work period and corresponding maximum of straight-time hours in writing.
- (c) The Council may by resolution direct that any employee or class of employees be paid a fixed salary for fluctuating hours in compliance with the Federal Fair Labor Standards Act. In the event that an employee actually works more than zero but less than his normally scheduled or budgeted hours for a particular work period, the difference between his normally scheduled or budgeted hours and his actual hours worked is charged to his holiday, annual leave and/or sick leave account. If the employee fails to do so, the employee's paid time off accounts shall be charged in the following order: (1) compensatory time, (2) holiday, (3) annual leave, (4) sick leave. If these balances are insufficient to cover the unworked hours, a deficit may be created as follows: The equivalent of one (1) day of holiday and thereafter equally divided between annual leave and sick leave.

Administrative Leave

- (a) *Exempt employees.* Exempt employees may accrue administrative leave in recognition of extra hours worked, heavy seasonal load, evening and weekend hours. All requests to accrue or use administrative leave must be approved in advance, in writing, by the department head contingent upon the employee being current with all work assignments and upon satisfactory overall job performance. Administrative leave, computed on an hour for hour basis, can be accumulated for a maximum of thirty (30) days (240 hours). Administrative leave is not paid for upon termination for any reason.
- (b) *Emergencies; exceptions.* Administrative leave may be granted (not chargeable to any other leave for exempt employees) to employees when County operations are closed by the County Administrator due to inclement weather, or other similar emergencies. Exception: Employees deemed necessary for the delivery of essential services to the public must report as scheduled.

Light Duty Policy

"Light duty" is defined as services and functions performed by an employee, which are less demanding than those normally performed by the employee. Work will not be created for the employee to perform. Light duty may be made available to employees as long as meaningful assignments are available, but generally for no longer than 12 weeks. Light duty requested as a result of an injury sustained on a job other than the job with the County will not be offered.

All light duty must be approved by the County Administrator, or his designee, with recommendation of the department head and Human Resources.

Prior to any light duty assignment (and at such intervals as the County Administrator may thereafter require), a medical doctor satisfactory to the County must certify that the employee is unable to perform the full range of his/her regular duties; that the inability to perform and the condition causing it are temporary; and that there is no risk of contagion or infection to other employees. No employee will be permitted to work on light duty if a physician advises that the performance of the light duty work might slow the employee's recovery or aggravate the disability. The County may require a review by its physician at any time.

Compensation for an employee assigned to light duty is the responsibility of the department, office, or agency using the employee, unless the reassignment is the result of an injury or accident covered by the County's Workers' Compensation. If the reassignment is the result of a County's Workers' Compensation injury or accident, the employee's home department is responsible for payment of his/her salary or wages until he/she is released by the physician to return to his/her regular job. The rate of pay for the light duty will be commensurate to the duties performed. Employees injured on the job may also be entitled to workers' compensation benefits in accordance with South Carolina Workers' Compensation Law.

GRIEVANCE PROCEDURE

Please see Sections 2.321 to 2.322 in the County Code of Ordinances.

EDUCATIONAL LEAVE

Definition

Educational leave is defined as authorized leave to attend a college, university or other institution of higher learning which offers an academic curriculum leading to a degree or degrees. Employees must use accrued annual, compensatory or administrative leave balances, if any, to make up for time missed from work before using educational leave.

Justification

The decision to grant educational leave is an administrative one and is in the County's sole discretion. Periods of leave should be for education that will benefit the County by making the employee better prepared to assume additional responsibility or teaching the employee additional skills and techniques for improved job performance.

Eligibility

All full-time, regular employees may apply for educational leave.
Educational leave with pay is normally limited to three (3) hours per week

Approval Process

The employee must apply to his/her department head, in writing, for educational leave. The department head recommends approval/disapproval of the request to the human resources director for a determination. The department head may appeal the decision of the human resources director to the County Administrator for a final determination.

Employee Responsibility

Employees requesting leave without pay are obligated to return to work within or at the end of the time granted. An employee who chooses not to return to work must notify the department head immediately. Failure to report back to work at the expiration of the educational leave constitutes the employee's resignation.

Department Responsibility

If it is necessary to fill a position vacancy created by educational leave without pay with a temporary or permanent appointment, the appointing department should notify the employee on leave to that effect. In the case of a temporary appointment, the employee on leave may return to the same or comparable position. In the case of a regular appointment, the employee on leave may return to a position of equal status and pay, provided a vacancy exists.

Retention of Benefits

Employees using accrued leave balances continue to accumulate leave and retain fringe benefits in accordance with County policy. Employees on leave without pay do not accumulate leave and generally are not entitled to fringe benefits if they are working fewer than the threshold hours required by the plan of benefits.

Tuition Reimbursement

- (a) General. Regular, non-probationary, full-time employees in good standing and indicating a high degree of potential for advancement may be considered for reimbursement for tuition upon successful completion of formal courses of study, subject to annual budget restrictions. The tuition reimbursement program is funded annually through the general fund budget and administered by the County Administrator. The County reimburses tuition costs for approved courses of study when properly authorized in advance of commencement of instruction and upon presentation of original receipts for tuition costs. Requests for payment of authorized courses of study must be submitted within thirty (30) days of course completion.
- (b) Eligibility. Employee must submit a request for Tuition Reimbursement through their Department or Office Head to be approved by Human Resources and the County Administrator. Forms and additional information can be obtained by contacting the Human Resources Division. Based upon the availability of funds to support the Program, priority for program participation will be given in the following order:

- General Equivalency Diploma
- Associate's Degree
- Special Certifications
- Bachelor's Degree
- Master's Degree
- Graduate Study

All regular full-time employees of Aiken County with satisfactory work and attendance standards who have successfully completed the new employee probationary period are eligible to participate. Employees who are receiving grants, scholarships, veterans' benefits or other educational payments are eligible to participate but only to the extent that the employee's tuition costs are not covered by these external sources.

- (c) Reimbursement. Participating employees are required to achieve a grade of "C, Pass, or Successful Completion" or higher in order to remain eligible for tuition reimbursement. A grade report must be submitted within thirty days of the completion of the course of study to verify eligibility and request reimbursement.

Only those courses beginning after satisfactory completion of the initial probationary period will be eligible for reimbursement. Generally, only those courses of study requiring attendance during off-work hours will be eligible for reimbursement. Exceptions must be approved in advance by the Human Resources Director and the County Administrator, and must demonstrate a benefit to the County. Funding will be provided only for the reimbursement of tuition costs incurred; costs associated with registration fees, books, student activity fees, etc. will not be reimbursed. Tuition reimbursement is provided according to the following schedule:

Grade A	100% reimbursement
Grade B	75% reimbursement
Grade C	50% reimbursement
Grade D or F	0% reimbursement
Pass or Successful Completion	50% reimbursement

Tuition reimbursement will be limited to an amount not to exceed \$500 per employee per semester, term, quarter or equivalent course. Tuition reimbursement will only be provided to those employees possessing a request for tuition reimbursement approved prior to the commencement of training for which reimbursement is requested. Tuition reimbursement is limited to a maximum of \$1,000 per calendar year for any one employee.

- (d) Funding. Limited funding is available for this program, and it is possible that individual applicants that otherwise meet program criteria will not be approved because of the lack of funding. In the event that requests for tuition reimbursement exceed the amount of funds budgeted and available for the program, requests will be considered on a first received basis.

Service Obligation

Employees who request tuition reimbursement assistance must agree to remain in the employ of the County for 180 calendar days from the date of the reimbursement check.

Employees who retire, resign or are terminated within this period are obligated to reimburse the County for tuition reimbursement costs. Reimbursement is by cash payment or deduction from any monies due at the time of separation.

TRAINING

Professional Advancement

The human resources director may coordinate with department heads, employees and others to foster and promote programs of employee development and training for the County.

Administration of Professional Advancement

The human resources director:

- (1) Recommends to department heads appropriate standards for training programs.
- (2) Determines that training is carried out as approved and prepares certificates or other forms of recognition for employees who satisfactorily complete approved courses and programs.
- (3) Assists department heads in developing and conducting training to meet the specific needs of their departments and in developing and utilizing other techniques for increasing employee efficiency.
- (4) Develops and/or conducts supervisory and management training and other types of training and employee development programs common to all departments.
- (5) Makes available information concerning job requirements and training opportunities in order to assist employees in increasing their efficiency in their present positions and in preparing themselves for promotion to higher positions in the County service.

- (6) Keeps a record of all approved training programs and courses and a record of all employees who successfully complete such courses and programs.
- (7) Maintains records of completion of training programs.

Compensation for Training

With the exception of training required to maintain a required license or certification, County-sponsored training is considered work time. Employees who desire to take non-County-sponsored training courses that are not required by the County may apply to use annual, compensatory or administrative leave balances to attend. Requests should be made to the employee's department head and forwarded for approval by Human Resources and the County Administrator.

The County Administrator may, upon recommendation of the department head, grant conference and/or seminar leave with pay, together with the necessary travel expenses in order that employees may attend conferences, seminars, workshops, etc., designed to improve their efficiency. Travel allowances must be in accordance with travel and subsistence allowance as outlined and within the restrictions of budget appropriations.

All training is subject to additional limitations as imposed by the County Council in adopting the annual budget.

HOURS OF WORK

Departments Covered

All departments of County government are subject to these provisions of hours of work.

Office Hours

Working hours for all departments of County Government Administrative Offices are as follows: minimum of an eight-hour day between 7:00 a.m. and 6:00 p.m. Hours of work are to be coordinated by department heads to insure the greatest amount of service to the citizens of the County, and provide the necessary core work force needed to serve the public between 8:30 a.m. and 5:00 p.m. (official hours for County offices). An exception to this policy involving change of hours for an entire division or department must not be implemented without the approval of the County Administrator. Exception: department heads may, on an individual employee basis, have employees with varied schedules when deemed necessary to serve the best interest of the County.

The County Administrator is authorized to grant varying work schedules in special circumstances.

Minimum Workweek

Each department of County government must have a minimum workweek for full-time employees of no less than four (4) days, forty (40) hours per week. Workweeks in excess of four (4) days, forty (40) hours per week may be maintained at the option of the department. County departments where seven (7) days and twenty-four-hour service is maintained may have a workweek that is in excess of four (4) days, forty (40) hours per week, but in no event may the workweek for full-time employees be less than forty (40) hours per week.

Meal Periods

Workload permitting, department heads must schedule employees who work eight (8) or more hours in a day for a reasonable period for the purpose of eating the meal that normally falls during their regularly scheduled hours. The period is not greater than sixty (60) minutes. Employees must take an unpaid meal period of at least thirty (30) minutes away from their work station unless workload does not permit as approved by his department head.

Break Periods

Workload permitting, employees are entitled to no more than two (2) fifteen (15) minutes breaks, one morning break and one afternoon break. These breaks are not to be taken prior to the beginning of work or at the end of the work day or in conjunction with a meal period.

Overtime Request

Although the County attempts to give notice when overtime is required, employees may be required to work overtime without advance notice.

Inclement Weather

Aiken County offices will remain open except in only the most extreme situations. An announcement that the County will be operating on a delayed basis will be made on local radio and television. In the case of operating on a delayed basis, employees should report to work no later than two hours after their normal start time to receive a full day's pay. However, if an employee feels the conditions are too severe, he may choose to take a full day of annual leave, or if he has not accumulated sufficient annual time may take unpaid leave. Due to the nature of their job requirements, employees working in Emergency Services, Sheriff's Office, PSA, Fire Team, and Detention Center, and other departments as determined by the County Administrator will be required to report to work in inclement weather. Other departments may be required to work on an as-needed basis.

EMPLOYEE DISCIPLINE

Introduction

As is the case with all organizations, instances arise when an employee must be reprimanded, suspended or discharged. When this happens a supervisor must complete a report of the incident/disciplinary action and, if necessary, a personnel action form in which he outlines the circumstances involved and the action being taken. The supervisor is to show the report (with the exception of oral warnings and terminations) to the employee for his signature with the understanding that the employee's signature only acknowledges that the employee has seen the report. The employee's signature does not necessarily indicate agreement with the contents of the report or the action taken, nor does it prevent appealing the action. The employee **must** sign the report.

If the employee refuses to sign the report he is suspended from work without pay and, if he does not sign the report by 5:00 p.m. at the end of his second full scheduled work day, the County will consider that the employee has resigned from employment.

Types of Disciplinary Action

Disciplinary action which may be taken includes but is not limited to:

- a. Informal counseling
- b. Oral reprimand
- c. Written reprimand
- d. Suspension without pay
- e. Reduction of leave balances
- f. Probation (see "Probationary Period" for parameters)
- g. Demotion
- h. Dismissal

Supervisors and department heads are expected to administer or recommend discipline as needed. Employees with repeat violations, whether of the same type of infraction or differing infractions, should generally be disciplined in progressively increasing fashion. NOTHING IN THIS POLICY, HOWEVER, REQUIRES PROGRESSIVE DISCIPLINE, WARNING OR NOTICE OF ANY KIND PRIOR TO ADMINISTRATION OF ANY TYPE OF DISCIPLINE, OR PRIOR TO DISMISSAL FROM EMPLOYMENT.

Examples of Conduct Warranting Disciplinary Action

THE DISCIPLINARY ACTION THAT IS ADMINISTERED FOR ANY PARTICULAR ACT OR ACTS OF MISCONDUCT RESTS IN THE SOLE DISCRETION OF THE COUNTY WITHOUT REGARD FOR THE WAY IT HAS TREATED OTHER EMPLOYEES AND WITHOUT REGARD TO THE WAY IT HAS HANDLED SIMILAR SITUATIONS.

It is not possible to list all acts and omissions which may result in disciplinary action. The disciplinary action which is administered for any particular act or acts of misconduct rests in the sole discretion of the Administrator. The following list is merely a guideline of some of the more obvious types of misconduct which may result in disciplinary action.

- a. Conviction of or plea of guilty or no contest to a charge of theft, violation of drug laws, sexual misconduct, offense involving moral turpitude, or offense which affects the County's reputation or which could create concern on the part of fellow employees or the citizens.
- b. Incompetence
- c. Unauthorized absence; tardiness
- d. Insubordination, including disrespect for authority, or other conduct which tends to undermine authority
- e. Failure or refusal to carry out instructions
- f. Unauthorized possession or removal, misappropriation, destruction, theft or conversion of County property or the property of others
- g. Violation of safety rules, neglect, or engaging in unsafe practices
- h. Interference with the work of others
- i. Threatening, coercing, or intimidating fellow employees, including "joking" threats
- j. Dishonesty
- k. Failure to provide information; misrepresentation or falsification of information for County records
- l. Failure to report personal injury or property damage
- m. Neglect or carelessness
- n. Introduction, possession, or use of illegal or unauthorized prescription drugs or intoxicating beverages on County property or while on duty anywhere; working while under the influence of illegal drugs or intoxicating beverages; or the off-the job illegal use or possession of drugs. For purposes of this policy, an employee is presumed to be "under the influence" if he has any detectable amount of any such substance in his system. For purposes of this section, unauthorized prescription drugs include prescription drugs for which the employee does not have a current valid prescription or which employee has been prohibited from using during work hours.
- o. Unsatisfactory performance

- p. Violation of policies and procedures
- q. Any other reason which, in the County's sole discretion, warrants disciplinary action.

TRAVEL AND SUBSISTENCE ALLOWANCE

Generally

When County employees are required to travel on official County business outside of the County limits, allowances for transportation are regulated in the manner set out in this division.

Transportation

Transportation may be accomplished by common carrier, private carrier, or County vehicle, and in no instances may allowance for such travel exceed the cost of common air carrier coach fare. Upon proper authorization, employees utilizing their personally owned vehicles will be paid, per mile, at the same rate as established by the County Council in adopting the annual County budget. Employees who are required to travel on County business within the County, except travel to and from work, and who use a personally owned vehicle, may be reimbursed at the rate authorized in the County operating budget. Employees will be reimbursed upon proper receipt for all ferry, bridge, road and parking tolls. Receipts for taxi are not required; however, taxi expenses must be itemized.

Authorized travel by personally owned vehicle in conjunction with approved training or professional development activities will not commence prior to 6 a.m. or extend past 11 p.m., unless authorized by the County Administrator. When feasible, carpooling should be utilized. Authorized travel by personally owned vehicle is from the location of employment to destination and return unless deviations are authorized in writing by the County Administrator.

Subsistence

Subsistence for authorized travel on County business may be granted under applicable conditions, as follows:

- (1) For daytime, out-of-County travel, in-state travel, when lodging is not required, subsistence or reimbursement for meals must not exceed the per meal established rate included in the annual operating budget.
- (2) For official travel when lodging is required, the per diem allowance is the rate authorized in the annual County operating budget plus lodging expenses at the single-room rate. Employees are expected to utilize standard, medium priced hotels and motels whenever possible. If an employee is to attend a formal, organized meeting or convention, he/she may stay at the hotel or motel where the meeting is held. Receipts for all expenses must be presented within thirty (30) days of return from the trip.

Reimbursement for lodging required in attending training or professional development activities commences the day of commencement of the training or professional development activity except where travel restrictions require travel the day prior to the commencement of the training or professional development activity. Likewise, lodging terminates the date of ending of the training or professional development activity except where travel restrictions require travel the day following ending of the training or professional development activity. When lodging includes meals furnished at no cost to the employee, the value of meals furnished will be subtracted from the per diem authorized for each specific meal provided. This reduction will apply whether the employee chooses to partake of the furnished meal or not. Any exceptions must be approved by the County Administrator prior to travel.

- (3) For travel out of state, the per diem is the rate authorized in the County operating budget.

- (4) Employees are reimbursed for all registration fees. When registration fees include meals to be provided, per diem is reduced amounts authorized for each meal provided. No per diem is authorized for travel within the County.

Occasional Travel, Travel Advances.

When recommended by the department head and approved by the County Administrator, prepayment for anticipated official travel expense may be disbursed to authorized personnel. Travel advances do not include per diem for the day of departure and return or for any partial days. All County personnel must submit a travel authorization request approved by the department head to the finance department for approval.

CHARITABLE AND POLITICAL ACTIVITIES

County employees are encouraged to participate in local, state, and federal affairs and charitable activities on their own time. Employees are not permitted to decorate any County building or grounds with signs advocating support of any particular candidate or party, wear buttons or other forms of advertisement while working or in uniform. Further, employees may not decorate any County vehicles, nor decorate personal vehicles that are parked during working hours at County facilities. In addition, employees may not engage in the following activities:

- (1) Participate in any political campaign during working hours.
- (2) Utilize public time, materials, or equipment in support of a political campaign.
- (3) Utilize public materials, resources, or equipment in support of charitable activities except as authorized by the County.
- (4) Solicit any assessments, contributions or services for any political activity or campaign during working hours.
- (5) Hold any political or other office during employment which would create a conflict of interest, or participate in civic or charitable organizations which would create a conflict of interest.

Employees who are paid either in full, or in part, by federal monies are covered under the Federal Hatch Act and the Federal Campaign Act and will be required to conform to the regulations of those Acts. It is the responsibility of the employee to ensure compliance with the Act.

CONDUCT, WORK HABITS, ATTITUDE

Generally

It is the duty of all employees to maintain high standards of conduct, cooperation, and courtesy to the public, effectiveness and efficiency in their work for the County.

Dress and Appearance

Employees must dress in a professional manner that is appropriate to the work assignment and that is normally acceptable in professional business establishments. Employees must wear clothing that is clean and in good repair and are to observe a high standard of personal hygiene. Employees are prohibited from wearing clothing or jewelry or displaying accessories while working that depicts or alludes to an obscenity, violence, or sex; advertises alcohol, tobacco, or illegal substances, or conveys political or religious opinions and other unsuitable slogans. Denim jeans of any color and tee shirts are not acceptable attire. However management may make exceptions in situations where the duties of the position necessitate. Clothing is not to be worn in such a manner as to be inappropriately revealing or to expose undergarments.

Discreet jewelry is acceptable in most circumstances. However, body implements and adornments, other than in the ears, must not be visible while working. Employees who work with the public or with individuals in the custody of the state must conceal all tattoos. Tattoos containing words or images which depict or allude to items referenced in the previous paragraph must not be visible during work time. Perfume and cologne must not be distracting.

Traditional and Social Media

Social networking, personal websites, and blogs have become common methods of self-expression. Aiken County respects the right of employees to use these media during their personal time.

However, employees need to understand that material posted on these media may be read by persons other than those for whom it is intended. Employees are cautioned that any material posted that, in County's sole opinion, reflects adversely on the County or causes a disruption in the workplace, is grounds for disciplinary action up to and including discharge.

Specifically, employees are cautioned not to use social media to discuss County business or the affairs of County citizens about which they have knowledge by virtue of their County employment. Employees posting to social media in their official capacity must have posts pre-approved. Additionally, employees who post personally on media sites and who have identified themselves as a member or employee of the County on those sites must make it clear that they are expressing their own views and not those of the County. Employees may not use County computers, laptops, devices, email systems or other equipment for personal social media viewing or posting. Employees who use their personal computers, laptops, devices, email or equipment must do so during breaks or non-working time.

Work Habits

- (a) Generally. Employees are expected to spend their working hours doing County work. Personal work or use of County tools, equipment and facilities for personal work during County time is prohibited.
- (b) Personal phone calls. Personal phone calls must be kept to a minimum.
- (c) Personal mail. Employees may not use County facilities for mailing personal letters, packages, papers, or magazines.
- (d) Aiken County believes that problems between and among employees are best resolved through open communication. Employees are encouraged to bring their concerns to their supervisors or to use the grievance procedure.

Employees are prohibited from tape recording or videotaping other employees or County officials unless the employee/official to be taped or recorded has given his express permission or unless authorized by the County Administrator or a law enforcement agency.

Attitude

When contacting the public in any manner, especially on public business, County employees must do so in a courteous manner. Employees must endeavor, whether dealing with fellow employees or serving the public, to conduct themselves in a manner that positively reflects upon their department and County government.

Ethics

All employees must adhere to the Aiken County Ethics policy, signed at employment.

Anti-Harassment Policy

(a) General

County policies, as well as various laws and regulations, generally prohibit employment decisions from being made on the basis of race, color, gender, genetic information, religion, national origin, age, disability, or similar distinctions. In addition, it is County policy to provide a working environment in which employees are free from discomfort or pressure resulting from jokes, ridicule, slurs, threats and harassment either relating to such distinctions or simply resulting from a lack of consideration for a fellow human being.

The County will not tolerate harassment of any kind. The County forbids retaliation against anyone who has reported harassment in good faith.

(b) Sexual Harassment

Sexual harassment warrants special mention. Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitute sexual harassment when:

- (1) Submission to the conduct is an explicit or implicit term or condition of employment; or
- (2) Submission to or rejection of the conduct is used as the basis for an employment decision, or
- (3) The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, "put-downs" or condescending or derisive comments or terms based on gender, and physical conduct, such as patting, pinching, or brushing against another person. This policy prohibits such conduct regardless of the gender of the perpetrator or victim.

Disputes sometimes arise as to whether conduct was "welcome" or "unwelcome." Conduct which would violate this policy if it were unwelcome will be considered to violate the policy if anyone complains of it. However, not all conduct which is prohibited by this policy constitutes a violation of the law. Personal relationships between employees must not create an uncomfortable work environment for others or affect productivity.

(c) Complaint Procedure and Investigation

If an employee feels that this policy has been violated by anyone with whom he comes in contact on the job, regardless of whether it is by a fellow worker, a supervisor, or a member of the general public, the employee should report the incident(s). There are several ways that this can be done:

- (1) By reporting to the supervisor or to a higher level in the "chain of command." Complaints against the Administrator should be made to the Chairman of Council.
- (2) Report to the human resources director.

Supervisors and managers who receive complaints of or become aware of harassment should coordinate with the human resources director.

Every harassment allegation will be investigated. Investigatory procedures may vary from case to case, depending upon the circumstances. The investigation will be conducted as confidentially as possible, consistent with effective investigation. All employees have a responsibility both to cooperate fully with the investigation and to keep the matter confidential, whether the employee is the accused person, the complaining one, or merely a potential witness. Persons who are interviewed should not discuss the matter at all with co-workers friends, or management. This does not mean, however, that employees may not complain to civil rights agencies. The County will keep the information it gathers as confidential as possible, consistent with state and federal laws and the needs of the investigation. In appropriate situations employees may be asked to submit to a polygraph (lie detector) examination.

(d) **Corrective Action**

If management concludes that a complaint of harassment has merit, appropriate action will be taken. Employees will be subject to disciplinary action up to and including discharge and may be reported to the appropriate law enforcement agency. Non-employees may be reported to the appropriate law enforcement agency and/or barred from the premises.

IMPORTANT

In order to avoid misunderstandings, complaints made to members of management or to the human resources director involve completion of the report form to be provided by the human resources division. The employee will be given a copy of the completed form.

These procedures have been established to enable an employee to get relief if he feels that he is the victim of harassment. The U.S. Supreme Court has said that as a general rule the employee may not sue the County for a violation of rights unless the employee first gives the County notice and an opportunity to end the harassment. These reporting procedures are intended to establish a clear record of what has been reported.

Drug Free Workplace

All employees of the County are prohibited from swallowing, inhaling, injecting, dealing in, or otherwise using illegal drugs and substances (such as marijuana, cocaine, LSD, heroin, etc.). Further, this prohibition applies to the misuse, abuse, or any unlawful use or possession of otherwise legal drugs. These prohibitions apply to use at any time, both on the job and off the job. County employees are, of course, permitted to possess any substance when required by their jobs or for the purpose of lawful delivery to another person.

Similarly, employees are prohibited from reporting to work, using or being anywhere on County property while under the influence of alcohol, illegal drugs or controlled substances. For purposes of this policy, "under the influence" means having any detectable amount of any such substance in the employee's system, and "illegal drugs or controlled substances" includes otherwise legal drugs that are misused or not used in accordance with their labeling or the instructions of a healthcare provider.

Notice to Employer, State and Federal Grantor/Contracting Agencies and Law Enforcement Authorities

As a condition of employment, employees agree to notify the County within five calendar days after any criminal conviction for the workplace manufacture, distribution, dispensation, possession or use of illegal drugs and prescription drugs not prescribed for the individual employee's use. As required by the state and federal Drug Free Workplace Acts, the County will notify all state and federal grantors/contracting agencies within ten calendar days of such employee convictions. "Conviction" means a finding of guilt, imposition of a sentence, a plea of no contest or a plea of guilty.

The County will notify law enforcement authorities whenever illegal drugs are found in the workplace.

Substance Abuse and Testing

(a) Applicants for Employment

Applicants tentatively selected for employment must undergo a pre-employment drug test. The County does not hire applicants tentatively selected for employment who refuse to submit to a drug test or who test positive for use of illegal or unauthorized substances or the illegal use of authorized substances. An applicant who is rejected under this policy may be considered for future vacancies if he can demonstrate that he is no longer a user of any such substances. For example, the applicant may successfully complete a drug abuse treatment program and pass a more thorough drug test conducted at the applicant's expense. (This may include participation in and successful completion of a rehabilitation program as well as a negative drug test result on a more thorough drug test.)

(b) Current Employees

1. All County employees are subject to drug testing by urinalysis where "particularized suspicion" of drug use in violation of this policy exists or under other lawful conditions.

a. Particularized suspicion is deemed to exist when:

- i. Information that an employee has used drugs or substances in violation of this policy is provided by a reliable informant;
- ii. An accident occurs. "Accident" is defined as:
 - (1) an accident involving a fatality;
 - (2) an accident causing personal injury; or
 - (3) an accident involving property damage, unless the incident is a single vehicle/equipment accident with no damage or only minor damages to the vehicle/equipment and no injuries to the driver, the incident was caused by another other driver, or a deer or other animal was the cause of the incident.

NOTE: DOT regulated employees (CDL Drivers) are subject to special rules for post-accident testing and will be tested following an accident in accordance with DOT regulations.

iii. An employee exhibits any of the following:

- (1) Extreme mood swings;
- (2) Slurred speech;
- (3) Unusual clumsiness;
- (4) Staggering;
- (5) Dilation of pupils;
- (6) Sleeping on the job or lethargy;

- (7) Excessive unexplained sweating;
 - (8) Other aberrational behavior;
 - (9) An employee has been arrested for or convicted of a violation of drug laws; or
 - (10) An employee has tested positive for drugs or otherwise violated this policy within the past five years.
2. All County employees are subject to alcohol testing where "particularized suspicion" of alcohol use in violation of this policy exists.
- a. Particularized suspicion is deemed to exist when:
 - i. information that an employee has used or possessed alcohol in violation of this policy is provided by a reliable informant;
 - ii. an accident occurs. "Accident" is defined in the same manner as it is in section (III) A of this policy.
 - iii. an employee exhibits behavior consistent with alcohol use such as but not limited to:
 - (1) erratic behavior (mood swings, slurred speech, staggering, bloodshot eyes, sleeping on the job or lethargy, excessive unexplained sweating, etc.);
 - (2) the apparent odor of an alcoholic beverage on an employee's breath; or
 - (3) other aberrational behavior such as but not limited to excessive absenteeism or tardiness, significant deterioration in job performance, repeated errors or rules violations, etc.
 - iv. an employee has admitted violating the County's alcohol policy;
 - v. an employee is arrested for or convicted of an alcohol related offense;
 - vi. an employee has tested positive for alcohol in violation of this policy, or otherwise violated this policy, within the past five years.
3. Particularized suspicion testing is conducted upon the approval of the County Administrator or his designee.
4. All sworn law enforcement officers, fire suppression personnel, employees who are required by their jobs to possess a Commercial Driver's License or employees whose jobs the County regards as "safety-sensitive" are subject to random testing to determine compliance with this policy. A list of safety sensitive positions is attached as Appendix B. Random selection testing is unannounced.
5. Employees may be tested for the use of controlled substances as part of any "fitness for duty" physical examination mandated by federal/state law or by the County, or as otherwise allowed by law.

6. Employees who refuse to submit to an alcohol or drug test when ordered to do so or who adulterate or substitute test samples are in violation of this policy and subject to disciplinary action, up to and including discharge. Refusal to test includes failure to appear for a test, failure to remain until testing is complete, failure to provide an adequate amount of urine, saliva or breath, failure to undergo a medical examination to evaluate your ability to provide an adequate urine, saliva or breath specimen, or failure to sign a required certification form.
7. Deputies and employees of the Sheriff's Office and employees of other elected or appointed officials are subject to this policy if and to the extent it is adopted by the respective elected or appointed official.

(c) Testing Procedure

1. Drug Testing.
 - a. Drug testing will be by urinalysis or other approved method, including hair sampling.
 - b. The collection of urine samples is performed under reasonable and sanitary conditions.
 - c. Urine is normally collected under conditions of semi-privacy – that is, a person of the same gender will be in a position to observe obvious attempts to substitute or adulterate a urine sample. Collection of the urine sample may be directly observed by a person of the same gender, however, where the person supervising the collection believes an employee has tampered with an earlier urine sample or the employee has previously admitted or been proved to have used drugs in violation of this rule. In addition, direct observation will be used in DOT-mandated testing for DOT-regulated employees when allowed or required by DOT regulations.
 - d. Urine samples are sealed, labeled, and documented in accordance with the procedure of the drug testing collector or laboratory. Tests performed pursuant to DOT regulations will follow the procedures required by those regulations. Labeling, storage, and transportation of samples are performed so as reasonably to preclude the probability of erroneous identification, sample contamination, or sample adulteration.
 - e. Specimens are checked for at least the following six drugs:
 - i. marijuana
 - ii. cocaine
 - iii. opiates
 - iv. amphetamines
 - v. phencyclidine
 - vi. barbiturates
- NOTE: Tests performed pursuant to DOT regulations check for only those substances mandated by the DOT regulations.
- f. Applicants and employees are provided an opportunity to provide any information which they consider relevant to the test, including identification of currently used prescription or nonprescription drugs, or other relevant information.
- g. Samples which initially result in a positive finding for drug use are re-tested by the gas chromatography/mass spectrometry (GCMS) or an equivalent method. If the confirmatory test results in a positive finding of drug use, and is verified by the Medical Review Officer, the written report of the Medical Review Officer is conclusive for all employment-related purposes.

- h. The County's Medical Review Officer normally allows an employee whose drug test results have been confirmed as positive the opportunity to justify the result before the Medical Review Officer notifies the County. Employees and potential new hires have 48 hours to respond to the Medical Review Officer's questions. Employees will be suspended with pay until the final results from the Medical Review Officer are received by the Human Resources Director.
2. Alcohol Testing.
- a. A non-evidential screening device may be utilized to initially determine compliance with this policy. If the screening device indicates the presence of alcohol, or if the results of the screening device are deemed questionable by the County, then a confirmatory test is conducted utilizing an EBT (evidential breath testing) device or blood test. The County uses only DOT-approved non-evidential screening devices and DOT-approved evidential breath testing (EBT) devices for DOT-mandated alcohol testing. The County reserves the right to utilize blood testing for non-DOT alcohol tests.
 - b. Employees will have an opportunity to provide any information which they consider to be relevant to the test.
 - c. The EBT confirmatory test is conducted by an individual properly certified to use the equipment. (In situations involving DOT regulated employees, the EBT operator should be properly certified in accordance with applicable DOT regulations.)
 - d. A confirmatory test result generated through the use of an EBT or blood test which indicates a presence of alcohol in violation of this policy is conclusive for purposes of this policy.
 - e. Consequences of Violating This Policy
 - i. Employees who violate this policy are subject to immediate termination of employment.
 - ii. Except for sworn law enforcement officers, in lieu of terminating an employee, the County may in its sole discretion condition the continued or future employment of an employee who tests positive for or admits to the use of illegal drugs, upon the successful completion of an alcohol or drug counseling/rehabilitation program.
 - iii. If the County, after considering all of the relevant circumstances, agrees to allow an employee who is found to be in violation of this policy to continue as an employee, the employee's continued employment will be subject to the following:
 - (1) Referral of the employee for alcohol or drug abuse counseling;
 - (2) Retesting the employee for alcohol or controlled substances before allowing the employee to return to duty;
 - (3) Requiring the employee to authorize any rehabilitation facility to report periodically to the County during the course of treatment/counseling;
 - (4) Placing the employee on probation for at least six months following the employee's return to duty; and

- (5) Requiring the employee to submit to unannounced follow-up alcohol and/or drug testing for a period of up to five years.
- iv. An employee whose continued or future employment is conditioned upon the successful completion of a counseling or rehabilitation program and who refuses or fails to participate in a single counseling or treatment session is in violation of this policy and subject to immediate termination.
- v. An employee whose return to duty test sample does not indicate that the employee has discontinued illegal use of drugs or indicates that the employee is in violation of this policy is subject to immediate termination.
- f. Coming Forward With Substance Abuse Problems
 - i. Employees, other than sworn law enforcement officers, who have substance abuse problems and report them to the County before being selected for testing, and before the occurrence of an event which normally would result in testing, in the County's sole discretion may be upon the first violation be subject to (e) (iii) (2) of this policy in lieu of termination.
 - ii. An employee who admits to a violation of this policy or tests positive for drugs in violation of this policy, but seeks counseling and remains an employee of the County, is subject to immediate termination if he again either admits to, or is otherwise found to be in violation of this policy.
- g. Confidentiality

Any alcohol or drug test results or information supplied by employees and applicants as part of the County's alcohol and drug testing program are kept as confidential as possible, consistent with the purposes of this policy.
- h. Testing Costs

The County is responsible for the costs of all drug tests to which the County requires an employee to submit. However, an employee subject to unannounced follow-up testing pursuant to (f) (i) is solely responsible for the cost of all follow-up tests.
- i. Notification of Test Results
 - i. Applicants are notified of the results of a pre-employment drug test, provided the applicant requests the results within 60 days of being notified of the disposition of the employment application.
 - ii. Employees are notified of the results (including the drug(s) discovered) of all positive drug tests.
- j. Employee Assistance Program/Drug Free Awareness

The use of illegal drugs and similar substances is a serious threat to our nation's collective health, safety, and welfare. Drug and alcohol abuse in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury and death. In order to prevent these consequences of drug abuse, the County has implemented this policy. Employees who feel they have a problem with controlled substances should seek assistance.

The County has also made available to its employees an Employee Assistance Program. The program provides employees with professional help for problems such as alcohol and drug abuse, emotional stress, money management difficulties and unpleasant family situations. The County's Employee Assistance Program is coordinated through C&RE. Information about the Employee Assistance Program is available through the Human Resources Department.

For more information on where to obtain treatment or assistance for drug or alcohol problems, one of the best places to look is in your phone book's Yellow Pages under "Drug Abuse & Addiction Information & Treatment Centers" or "Alcoholism Information & Treatment Centers." Under these headings, there is often a listing for a local "Council on Alcohol and Drug Abuse." These organizations are most helpful, as are Alcoholics Anonymous (AA) and Narcotics Anonymous (NA), in identifying sources for treatment and assistance. Set forth below is a list of organizations that may provide information or referrals.

National Clearinghouse on Alcohol and Drug Information
1-800-729-6686

National Council on Alcoholism
1-800-622-2255

Aiken Center for Alcohol and Other Drug Services
(803) 649-1900

Periodically, the County may make available to employees information regarding substance abuse. All employees are encouraged to attend such programs and to review any material supplied. Some employees may be required to attend such programs or to review such material.

EMPLOYEE STATUS CHANGE

Resignation

To resign in good standing employees must give their department head at least two (2) weeks' notice in writing and work the notice period, unless waived by the County, in its sole discretion. Normally, failure to comply with this rule results in denial of reemployment rights and forfeiture of accrued, unused annual leave. However, the department head, with the approval of the human resources director, may exempt from these penalties an employee who has given less than the required notice if, in their judgment, circumstances warrant such exemption.

Within thirty days of departure, all employees who were eligible for benefits will receive in the mail a letter explaining benefit options as a former employee of the County. However, employees may make an appointment with Human Resources to discuss these options in person if they choose to do so.

Failure to Report – Resignation

An employee who fails to report to work for three (3) consecutive workdays without notification to his supervisor will be considered to have resigned without notice. Generally, such an employee is not eligible for reemployment.

Layoffs

- (a) Any involuntary separation not involving delinquency, misconduct, or inefficiency is considered a layoff.

- (b) When it becomes necessary to reduce the work force in a department or division thereof because of lack of funds or other causes, employees are laid off based on the County's needs.
- (c) If a regular employee is scheduled to be laid off, he may be offered a demotion to a lower class if qualified and provided a suitable vacancy exists.
- (d) Prior to a reduction in force, the names and class titles of any and all regular employees scheduled for layoff must be submitted to the human resources division for approval. Layoffs are not effective until reviewed by the human resources director and approved by the County Administrator.
- (e) The County will attempt to give regular employees at least fourteen (14) calendar days prior to the effective date of the layoff.

Promotion

- (a) Generally. In filling vacancies, the County will consider promoting or transferring suitable employees from within the County, when, in the County's sole discretion, it mutually benefits the County and the employee.

Although an individual may become qualified for a higher position, promotion may not be justified until an opening occurs or until such time as duties require a higher classification.

Job opportunities are publicized containing pertinent information regarding job vacancies.

- (b) Promotion of present employees. Upon approval by the Administrator, the promoted employee will be moved to the grade assigned to the new position. Generally, employees who are promoted receive a five percent (5%) increase in salary for the first increase in grade level and two percent (2%) increase for each grade thereafter or increased to the minimum salary for the new grade, whichever is greater. Employees will not be increased above the maximum for the grade to which the employee is promoted. Upon approval of the County Administrator, in recognition of highly unusual qualifications or situations and other market factor, employees may receive up to fifteen percent (15%) above the minimum. The salary change becomes effective at the beginning of the pay period following the promotion. If the hiring department, during the probationary period, determines that the employee is not suitable for the position, or if the employee determines that he/she does not wish to continue in the position, effort will be made to return the employee to his former position or to a similar type work, if a vacancy exists. In the event there are no vacancies for which the employee is qualified, the employee will be terminated, but is eligible for reemployment.

Any employee, irrespective of the position/department in which he is employed may apply for promotional consideration.

Demotion

- (a) Involuntary demotion. Any employee whose work is unsatisfactory but who offers promise of becoming a satisfactory employee may be demoted by the department head. The notice and reason for the action must be reported by the department head to the County Administrator and the employee.
- (b) Voluntary demotion. Employees, for various reasons may request a demotion which could be within their department or by transfer to another department. Voluntary demotions must be requested, in writing, by the employee and approved by the appropriate department head(s) and the County Administrator.

- (c) **Salary.** Employees who are demoted, either voluntarily or involuntarily, receive a five percent (5%) decrease in salary for the first decrease in grade level and two percent (2%) decrease for each grade thereafter or are brought to the minimum rate for the new grade, whichever is greater. Provided, however, the salary of an employee who is demoted is not decreased to below the minimum for the new grade or below the employee's previous salary if returning to their previously held position. The salary change becomes effective at the beginning of the pay period following the demotion.

Transfer

Employees may request, in writing a transfer from a position in one grade to a position in another class in the same grade. Transferred employees must serve a probationary period in the new position. An employee who is transferred to a different position or different work location is not granted a salary adjustment as a result of being transferred.

Loss of Job Requirements

Any employee who is unable to perform his job because of loss of a necessary license, certification or other job requirement shall be separated from employment.

Retirement

- (a) *Benefits.* Retirement benefits are available for County employees who are members of the state retirement system, and have met eligibility requirements for benefit payment.
- (b) *Applications; assistance.* The human resources division provides assistance to any employee eligible for retirement. In any case, retirement applications must be in compliance with the rules of the state retirement system.
- (c) *Anticipated retirement.* Employees anticipating retirement are advised to begin the retirement process at least three (3) months prior to their effective retirement date. Employees may work through the County human resources division or directly with the state retirement system. However, if the employee chooses to work directly with the state retirement system, the employee must communicate with human resources throughout the process.

"Retiree" Defined

For all purposes in these policies or any program or benefit offered by or through the County, "retiree" means an individual who is retired under the rules of the Public Employee Benefit Authority retirement program to which he belongs.

Employee Retirement Incentive (TERI - Teacher and Employee Retirement Incentive) Program.

Employees entitled to participate in the TERI program must meet the requirements of that program. Employees who participate in TERI are not guaranteed their position at the conclusion of their TERI participation. The County, in its sole discretion, will determine when an employee will be permitted to continue County employment.

Death

When an employee dies, his/her estate receives the employee's accrued, unused annual leave and any earned and unpaid salary or wages.

Exit Interview

The human resources department may conduct an exit interview with each employee who resigns. The human resources department will ensure post-termination benefits and options available to employees are available online, as well as having all such materials mailed to employees within thirty-one days of departure as stipulated by federal COBRA legislation. In addition, human resources will assist the employees by referring them to external offices or providers of benefits not administered by the County.

Before receiving his last paycheck, an employee must surrender all County property or materials assigned to them and complete other separation actions which may be prescribed by the human resources division. Exit interviews by the human resources department do not preclude such interviews by department heads.

CLASSIFICATION AND COMPENSATION PLAN

Classification Plan for Classified Employees

- (a) Administration of classification plan. The primary responsibility for the day-to-day administration of the classification plan rests with each department head within the limits of procedures established by the County Administrator and human resources director.

The human resources director, under the direction of the Administrator, maintains the classification plan and periodically reviews the plan for appropriate changes.

The Administrator and human resources make periodic recommendations to County Council for changes in salary, salary ranges, and manpower needs.

- (b) Use of class titles. Class titles must be used in all personnel, accounting, budget, appropriation, and financial records. No person can be appointed to or employed in a position unless included in the classification plan.
- (c) Position authorization. All newly created positions must be submitted for approval through human resources.
- (d) Reclassification of positions. An established position may be reclassified from one class to a different class when responsibilities and duties change.
- (e) Generally, new positions reclassifications, and upgrades are considered in conjunction with the annual budget.

Compensation Plan

- (a) Pay Ranges. The Human Resources Director and the County Administrator conduct periodic studies as deemed necessary regarding the level of classified employee compensation. The County Administrator recommends changes in salaries and salary ranges to County Council as deemed necessary.
- (b) Maintenance of compensation and pay scale for classified employees. The pay scale is modified to reflect salary range adjustments approved by County Council.

Elected and Appointed Officials

- (a) Elected officials or officials appointed by an authority outside of County government are non-classified employees. The County Administrator and County Attorney are also non-classified employees. All other County positions are considered classified.

- (b) Non-classified employees are entitled to salary adjustments as determined by County Council and are not covered by the Classification and Compensation Plan.
- (c) Non-classified employees are exempt from the County's probationary requirement unless specifically included by the appointing authority.

Pay for Performance Increases

Subject to approval by County Council, pay-for-performance increases may be granted to eligible classified and designated non-classified employees effective the first pay period in January each year, subject to availability of funds and in accordance with guidelines established by the County Administrator and approved by County Council.

RECORDS AND REPORTS

Personnel Transactions

All appointments, authorized salary increases, promotions, employee evaluations, demotions, dismissals, suspensions and other personnel transactions must be made on the personnel action request form and in the manner designated by the human resources director. Personnel actions affecting salary adjustments are effective on the first day of a pay period. Exceptions must be approved by the County Administrator. Department heads must submit personnel actions in advance of proposed effective date to assure adequate time for processing.

Employee File Maintenance

- (a) Personnel records. The "official personnel records file" are maintained by the County human resources division for all County employees, active and inactive. The Administrator determines what records should be maintained in the files.
- (b) Access to personnel files. Employees must make an appointment to review their own files during business hours under the supervision of a human resources employee. Personnel files may not be removed from the human resources division except on order of the County Administrator.
- (c) Dissemination of information. County employees must refer all requests from external sources for personnel information concerning applicants, employees and prior employees to the human resources division. The human resources division will normally release personnel information only in writing.
- (d) Record update. Employees should promptly notify the human resources division of any changes in personal status, to include the following:
 - (1) Address or telephone number
 - (2) Marriage, divorce, or legal separation
 - (3) Birth or death in immediate family
 - (4) Legal change of name
 - (5) Beneficiary changes
 - (6) Motor vehicle driving record for employees who drive County vehicles

Benefit administration is directly related to the above items. Unreported changes may have an adverse impact on benefits received.

SAFETY AND ACCIDENT PREVENTION

Please see Sections 2.442 to 2.443 of the County Code of Ordinances.

Penalty for Preventable Accidents

All accidents involving County vehicles and equipment are reviewed by the employee safety committee. The committee determines if the accident was preventable by the employee. If the accident is deemed to have been preventable, the employee will be assessed a penalty as set forth in guidelines established by the committee and approved by County Council.

NEPOTISM

Please see Sections 2.451 to 2.453 of the County Code of Ordinances.

OUT-STATIONED COUNTY EMPLOYEES

Definitions

An out-stationed County employee is any County employee placed in a location or agency other than in County government; and/or, one who is supervised by a person or persons other than a County employee.

Control

County employees out-stationed to municipalities, political subdivisions, and agencies (including federal, state, and local agencies) are subject to the County's policies and procedures.

Exceptions

- (a) Holidays may be substituted for those designated by this policy on a one-to-one basis, if the request is made in writing by the appropriate official, and approved by the County Administrator.
- (b) Working hours may be substituted so as to conform to the out-station working hours if the request is made in writing by the appropriate official and approved by the County Administrator.

SECONDARY EMPLOYMENT

Policy

County employment is considered the primary employment and no employee may engage in outside employment which, in the County's sole discretion, would interfere with the employee's performance of his County job duties, create a conflict of interest, give the appearance of a conflict of interest, or, in any way, interfere with the work of the County employee.

Employees must receive written approval before engaging in secondary employment. Approval may be withdrawn in the County's sole discretion.

Outside Employment Conditions

Equipment, facilities, vehicles or property of the County must not be used by employees for outside employment, nor for travel to such employment or for personal use.

Employees sustaining injuries while engaged in outside employment are ineligible to receive benefits under the County's workers' compensation plan.

WEAPON CONTROL POLICIES

Please see Sections 2.471 through 2.476 of the County Code of Ordinances

WORKPLACE PRIVACY/COMPUTER & INTERNET USE

General

The workplace is intended to be a place of work. An important part of work is communications and recordkeeping. No employee is at work 24 hours a day, seven days a week, and there are times when management needs access to communications or records maintained by employees in their individual workplaces. Personal items and personal communications received or stored on County premises are not entitled to a guarantee of privacy.

Management may search County property and documents in County-owned vehicles, employee desks, lockers, file cabinets, etc.

Electronic media raise similar issues. The County provides electronic and telephonic communication devices to employees for use in performing their job duties. Although assigned to the employee, these items still belong to the County. Similarly, any computer files created or software downloaded on a County computer belong to the County.

Employees are given certain access and computer rights based upon the employee's job description. Employees may not change any of these rights or the rights of anyone else. Software, programs, games, and any other downloads may not be installed on County computers without the written permission of County.

Employees are prohibited, unless specifically authorized by the County, from accessing and/or viewing e-mail which has not been sent by, or addressed to, the employee. Similarly, employees are prohibited, unless specifically authorized by the County, from accessing and/or viewing databases containing personal employee information. Employees who have received appropriate authorization to access and/or view databases containing personal employee information are prohibited from using or discussing information in those databases except as directed by management.

The County consents to the reasonable personal use of its communication devices. The definition of "reasonable personal use" is determined in the sole discretion of the County. The only sure way to avoid violating the County's policy on personal use is not to use the County's communication devices, computers and network for *any* personal purpose. The following personal computer use is absolutely forbidden:

1. Accessing any material which the County considers to be pornographic; transmitting or knowingly accepting receipt of any communication which is pornographic, obscene, or in the County's opinion might contribute to a hostile work environment in that it demeans individuals on the basis of race, sex, age, national origin, disability or some similar distinction;
2. Conducting business for outside employment or a side-business;
3. Purchasing any goods or services, even if charged to the employee's personal credit card.

Although employees may use County-owned communication devices, computers and network for limited personal use, all files and data created or transmitted using a computer (desktop or laptop), telephone, pager, or any other electronic device provided to the employee by the County belong to the County and may be accessed by the County during transmission of the communication or while in storage on the County's equipment. This includes, but is not limited to, voicemail, the content of e-mail, text (sms) messages, multi-media messages (mms), instant messages, and the content of internet websites.

By accepting employment with the County, employees consent to monitoring, including "real time" monitoring, of all communications described in this policy and authorize the County to access all data stored on communication devices provided by the County. The County also reserves the right to report the finding of such reviews to appropriate agencies. Data stored on a County communication device includes data, such as personal third-party e-mail accounts (*e.g.*, yahoo, Hotmail, Gmail, etc.) and websites, that is accessed with a password where the data was accessed using the County's communication device. **Thus, if you do not want the County to have access to your personal e-mail account or your social networking site, you should not access your personal e-mail or other password-protected websites using County-owned communication devices.** Even though an item has been "deleted" and the employee cannot retrieve it, this does not mean that the County cannot do so. It is also possible to generate a report of every Internet connection made by each user and the amount of time spent in each connection.

If you access personal e-mail accounts or other password-protected websites using County-owned communication devices, you will be subjecting those accounts and websites to any viruses that may have infected the County-owned communication device. The County is not liable for any damages you suffer because of such access. The best way for you to protect your personal information is to refrain from accessing it using County-owned equipment.

County employees may not use their own personal electronic equipment (including, but not limited to, personal laptop computers and cellular phones) on County property or at County work sites to engage in conduct which would be prohibited if using County equipment.